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Federal Communications Commission
Washington, D.C. 20554

September 9, 2004

DOCKET FILE COPY ORIGINAL

David D. Oxenford, Esq.
SHAW PITTMAN LLP
2300 N Street, N.W.
Washington, D.C. 20037-1128

Dear Mr. Oxenford:

This is in reference to the petition for rulemaking you filed on behalf of Educational Media Foundation ("EMF"), licensee of Station KLV5(FM) ("KLV5"), Channel 257B1, Grass Valley, California. That petition requests that the Commission amend Section 73.202(b) of its rules, FM Table of Allotments, to substitute Channel 258A for Channel 257B1, Station KLV5, to reallocate Channel 258A from Grass Valley to Citrus Heights, California, and to modify Station KLV5's license accordingly. The petition also requests that Channel 257A be allotted to Colfax, California.

The foregoing petition does not comply with Section 73.315(a) of the Commission's rules, which requires that a proposed transmitter site be chosen in such a manner that the proposal will provide signal coverage with a field strength of at least 70 dBu over the entire principal community to be served. Specifically, from the transmitter site proposed by EMF to serve Citrus Heights (38-38-37 NL and 121-05-27 WL), the rulemaking proposal will not provide a 70 dBu signal that encompasses the entire community of Citrus Heights. In addition, from the transmitter site proposed by EMF to serve Colfax (39-16-33 NL and 120-53-49 WL), the rulemaking proposal will not provide a 70 dBu signal that encompasses the entire community of Colfax.

Accordingly, your petition for rulemaking is being returned as unacceptable for filing.

Sincerely,

A handwritten signature in black ink, appearing to read "John A. Karousos", written over a horizontal line.

John A. Karousos
Assistant Chief, Audio Division
Media Bureau